



## Lamoine Board of Selectmen

606 Douglas Hwy  
Lamoine, ME 04605  
(207) 667-2242  
town@lamoine-me.gov

### Minutes of the Recount Hearing April 13, 2009

Town Clerk Jennifer Kovacs called the hearing to order at 7:02 PM

Present were: Town Clerk Jennifer Kovacs, Assistant Town Clerk Diane Carter, Selectmen Richard Fennelly, Kermit Theall, S. Josephine Cooper; Administrative Assistant/Deputy Town Clerk Stuart Marckoon, Selectman elect Gary McFarland, Candidate Michael Jordan, Franco Colella (representing candidate Colene Sharkey), and Kathleen Defusco.

Town Clerk Kovacs introduced the parties and read the following:

*"The Lamoine Town Clerk has received a written request from Colene Sharkey requesting a recount of the Assessor election held on April 7, 2009. The request was received on April 9, 2009 less than 5-days following the vote. Pursuant to state law, a deposit is required to cover the reasonable cost for holding a recount. That deposit was received this morning in the amount of \$62.70. Immediately upon receiving the request, I determined this date, time and location for the recount to take place, being less than 5-days following the receipt of the written request. Both candidates involved have been notified verbally of this hearing, it has been posted at the town hall and on the town's website, and the press notified via e-mail."*

Town Clerk Kovacs asked if either side had any testimony they wished to present. Neither Mr. Colella nor Mr. Jordan said they did.

Town Clerk Kovacs explained the process she would like to use as follows:

*"The ballots from Tuesday, April 7, 2009 were initially stored in a tape sealed cardboard container in the vault. They were transferred to a locked metal container, stored in the vault on Friday, April 10, 2009.*

*I propose the following method be employed for the recount:*

*Assistant Town Clerk Carter and I will now open the locked container by breaking the state seal and unlocking the lock. The ballots will be sorted into piles of 50 – each bundled group will be recounted one group at a time to confirm there are 50-ballots.*

*Mrs. Carter and I will fill out a new tally sheet as we count each bundle of 50. I will read the vote for the candidate, Mrs. Carter will fill in the tally sheet for each ballot. The candidates or their representative will be seated by our side. If either candidate or representative questions the validity of a particular ballot, they are to state so immediately. In the event a vote is questioned, the members of the Board of Selectmen shall determine to whom (if anyone) the vote is to be awarded.*

*When each bundle of 50 is counted, Mrs. Carter will total up the vote count, we will each sign the back of the sheet, as will the chair of the Board of Selectmen. The votes indicated on the sheet will be transferred to a master tally sheet kept by Deputy Town Clerk Marckoon.*

*The counted bundle will have its tally sheet wrapped around it and be transferred to a different metal container for storage container so as not to be counted again.*

*When all the votes are counted and tallied on the master tally sheet, I will run a calculator tape of the master tally sheet. Mr. Marckoon will then run a calculator tape to compare results, and the final results will be entered onto the master tally sheet. The candidates or their representative will also be provided their own master tally sheet to track the results if they desire.*

*When the double checked tally is complete, I will announce the final results. If there is any dispute with the result, the Board of Selectmen will make the final decision on the outcome.*

*Is there any objection to this method?"*

There were no objections.

The metal box where the ballots were stored was retrieved from the vault and opened. Mr. Colella inspected the canceled ballots, and they were transferred to an empty metal box.

Town Clerk Kovacs and Assistant Clerk Carter proceeded to count each lot by counting the number of ballots, then reading and tallying the ballots as follows:

Lot #	Jordan	Sharkey	Blank	Write-In
1	34	15	1	
2	25	21	4	
3*	28	18	4	
4	25	23	2	5
5	21	27	1	1**
6	30	12	7	1**
7	19	26	5	
8	5	4	0	

\*One ballot was disputed by candidate Jordan. Selectmen voted unanimously to declare the ballot as "blank" as it was impossible to determine for whom the vote was cast.

\*\*Both write in votes were for Chris Tadema-Wielandt

Stu Marckoon tallied the master sheet as did Ms. Kovacs and both arrived at the same totals as follows:

Michael Jordan	187 Votes
Colene Sharkey	146 Votes

Chris Tadema-Wielandt      2 write in votes  
Blank Ballots              24

Stu filled out the certification form and announced the results above publicly. Jo moved to accept the results. Richard 2<sup>nd</sup>. **Vote in favor was 3-0.** Selectmen signed the election certification.

There being no further business, the meeting adjourned at 8:09 PM

Respectfully submitted,

Stu Marckoon, Adm. Asst.